

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Environmental Protection Act is amended by
5 changing Section 22.56a as follows:

6 (415 ILCS 5/22.56a)

7 Sec. 22.56a. Land application of Exceptional Quality
8 biosolids.

9 (a) The General Assembly finds that:

10 (1) technological advances in wastewater treatment
11 have allowed for the production of Exceptional Quality
12 biosolids that can be used on land as a beneficial
13 recyclable material that improves soil tilth, fertility,
14 and stability and their use enhances the growth of
15 agricultural, silvicultural, and horticultural crops;

16 (2) Exceptional Quality biosolids are a resource to be
17 recovered; and

18 (3) the beneficial use of Exceptional Quality
19 biosolids and their recycling to the land as a soil
20 amendment is encouraged.

21 (b) To encourage and promote the use of Exceptional Quality
22 biosolids in productive and beneficial applications, to the
23 extent allowed by federal law, Exceptional Quality biosolids

1 shall not be subject to regulation as a sludge or other waste
2 if all of the following requirements are met:

3 (1) The sewage treatment plant generating the
4 Exceptional Quality biosolids maintains the following
5 information with respect to the biosolids:

6 (A) documentation demonstrating that the
7 Exceptional Quality biosolids do not exceed the
8 ceiling concentration limits in Table 1 of 40 CFR
9 503.13 and the pollutant concentration limits in Table
10 3 of 40 CFR 503.13;

11 (B) documentation demonstrating that the Class A
12 pathogen requirements in 40 CFR 503.32(a) are met,
13 including but not limited to a description of how they
14 were met;

15 (C) documentation demonstrating that the vector
16 attraction requirements in 40 CFR 503.33(b)(1) through
17 (b)(8) are met, including but not limited to a
18 description of how they were met;

19 (D) a certification statement regarding the Class
20 A pathogen requirements in 40 CFR 503.32(a) and the
21 vector attraction reduction requirements in 40 CFR
22 503.33(b)(1) through (b)(8), as required in 40 CFR
23 503.17(a)(1)(ii); and

24 (E) the quantity of Exceptional Quality biosolids
25 sold or given away by the sewage treatment plant each
26 year. The information must be maintained for a minimum

1 of 5 years after the biosolids are generated, and upon
2 request must be made available to the Agency for
3 inspection and copying during normal business hours.

4 (2) For Exceptional Quality biosolids that have not
5 been bagged:

6 (A) they are not applied to snow-covered or frozen
7 ground; and

8 (B) they are used on agricultural land in a manner
9 that follows recommended application rates and are
10 used on all land in a manner that follows best
11 management practices to protect water quality.

12 (3) If Exceptional Quality biosolids that have not been
13 bagged are generated in another state and imported into
14 this State, the person importing the biosolids must
15 maintain the information set forth in subparagraph (A) of
16 paragraph (1) of subsection (a) through subparagraph (D) of
17 paragraph (1) of subsection (a) of this Section and the
18 amount of Exceptional Quality biosolids imported each
19 year. The information must be maintained for a minimum of 5
20 years after the biosolids are imported, and upon request
21 must be made available to the Agency for inspection and
22 copying during normal business hours.

23 (c) For purposes of this Section, Exceptional Quality
24 biosolids are considered "bagged" if they are in a bag or in an
25 open or closed receptacle that has a capacity of one metric ton
26 or less, including, but not limited to, a bucket, box, carton,

1 vehicle, or trailer.

2 (d) Nothing in this Act shall limit or supersede the
3 authority of the Illinois Emergency Management Agency to
4 regulate exceptional quality biosolids under the Nuclear
5 Safety Law of 2004.

6 (Source: P.A. 99-67, eff. 7-20-15.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.